



Burrillville Planning Board

Meeting Minutes

May 2, 2022

CALL TO ORDER: Chairman Bruce Ferreira called the meeting to order at 7:00 p.m.

ATTENDANCE REVIEW: Bruce Ferreira (Chairman), Stephen Foy (Secretary), Christopher Desjardins, Michael Lupis, Dov Pick, Ken Raspallo, John Bonin and Krista Iacobucci were present. Leo Felice (Vice Chairman) was absent.

ACCEPTANCE OF MINUTES: April 4, 2022 minutes

Voted to accept the April 4, 2022 minutes. Motion by Stephen Foy. Seconded by Ken Raspallo. Motion carried unanimously.

CORRESPONDENCE: None.

OLD BUSINESS

Ethier, Mitchell & Denise Reservoir Rd AP 210 Lot 30:

Preliminary Plan Review, Minor Subdivision. (Continued from April 2022)

Engineer running late. Voted to move to second agenda item. Motion by Stephen Foy. Seconded by Dov Pick. Motion carried unanimously.

East Ave Solar and Bronco Terrace, Pole 5½ East Ave AP 162 Lot 32: Public Hearing Preliminary Plan Review, Major Land Development: 1.5-acre 250kW ground mounted solar energy system with two commercial buildings. (continued from April 2022)

Engineer Louis Gentile (filling in for Paul Carlson) of InSite Engineering and developers Paul Vanasse and John Somyk of Andromeda Real Estate presented the changes made to Preliminary Plan dated April 30, 2022.

Revision included:

- Valerie Copeland's well with proximity to driveway identified.
- A paved waterway and/or curbing along the driveway to East Ave culvert.
- Access road eliminated.
- Turnaround added near the dumpster area to eliminate the access road and increase buffer.
- Planting trees added to plan with a request from a formal landscape plan made.

The Board questioned the pending DEM and Fire Dept approvals and status of the suggested traffic study. Developer John Somyk stated that he has an upcoming meeting with the Fire Department to review the Fire Control Plan and new turn around design. RIDEM permits are still pending. Mr. Somyk explained that a traffic study was not performed as they are limiting their type of tenant to general office or medical to limit not only traffic but also noise, smells, water use and lighting.

Chairman Ferreira noted that the Public Hearing was continued from last month and invited the public to speak. Steven and Melissa Kilsey of 32 Oakland Ave requested clarification of tree clearing plan, ownership of responsibility for a collapsing stonewall making the property line, drainage at the solar array. They also requested moving the tree plantings away from the solar fence and closer to the buffer line to add additional layer of screening. The developers reviewed the array siting, drainage plans and clearing plan to include revisions which will increase buffers. The developers agreed to move the buffer trees from the solar fence to the treed abutter buffer line as suggested. The developer noted that the area of the stone wall in question is within the National

Grid Easement so the issue of their machinery damaging it during maintenance of their equipment will not be easily resolved.

Lori Langford 99 East Ave expressed concerns for well contamination, roadway washout on East Avenue and the development causing light pollution. The developers reassured that there is a drainage plan for the entrance that directs the watershed into the culvert on East Ave. The engineer reiterated that the system is designed to withstand 100-year flood water flow and reviewed said plan. The developers reviewed well siting and stated that this development and addition of two wells should not affect abutter well yield or water quality. Lighting in the rear of the building, facing the abutters, will be limited to two sconce type lights next to the rear exit door. Lighting to the front of the building, facing 102, will be designed to minimum requirements to limit light disturbance to abutters.

Voted to approve the Preliminary Plan Submission for East Ave Solar & Bronco Terrace, Pole 5 ½ East Avenue, Oakland, RI Assessor's Plat 162 Lot 32 with the following waivers and/or conditions:

Waiver from a landscape plan

Conditioned upon:

- 1. RIDEM Pollutant Discharge Elimination Permit (RIPDES)**
- 2. RIDEM Stormwater Discharge approval.**
- 3. Oakland Mapleville Fire Department approval of site plan.**
- 4. Building use is limited to general office uses; otherwise, any heavy traffic generating uses or restaurant uses shall require a traffic study due to the proximity to Bronco Highway.**
- 5. Remove dead trees at entrance and replace with new trees.**
- 6. Relocate proposed buffer trees from along the fence to the most Southern buffer tree line to increase buffering to neighbors to the South.**

Motion by Stephen Foy. Seconded by Dov Pick. Motion carried unanimously.

Ethier, Mitchell & Denise Reservoir Rd AP 210 Lot 30:

Preliminary Plan Review, Minor Subdivision. (Continued from April 2022)

Engineer Louis Gentile (filling in for Paul Carlson) of InSite Engineering, reviewed the Preliminary Plan revisions /plan dated April 25, 2022 as recommended in the second per review report and previous Preliminary Review:

- Deleted the cultic roof drainage system detail.
- Added detail for rain gardens to handle roof drainage and amend plans to specify location(s) on plans.
- Amended all notes regarding proposed retaining walls to be a maximum of 32 inches.
- Added detail for foundation drainage system.
- Added detail for driveway drainage system-RIDOT has made recommendations, as Reservoir Rd is a state road.
- Added construction inspection schedule. (Engineer oversight necessary due to significant site constraints, steep slopes, exposed ledge and potential to flood out the proposed dwelling as well as neighboring properties).
- Combined the site plan with the site plan with the subdivision plan to record together.

The Board expressed concern with the overall drainage plan for this site and requested further surcharge detail. They recommended further revision to the plan to include:

- Limit of disturbance be added to plan
- Note on plan depth to ledge on various locations on plan
- Increase number of weepholes behind retaining walls
- Consider pinning wall into ledge

Voted to continue Ethier, Mitchell & Denise, Reservoir Rd AP 210 Lot 30 to the June 6, 2022 meeting to allow for plan revisions. Motion by Stephen Foy. Seconded by Chris Desjardins. Motion carried unanimously.

Woods, Robert 300 Olney Keach Road AP 206 Lot 7:

Pre-application for a 4 lot Minor Rural Residential Compound.

Applicant Robert Woods presented his conceptual plan for a 4 lot Rural Residential Compound on a 37.41-acre F-5 parcel located off of Olney Keach Road, an unaccepted town road. Mr. Woods explained that he currently maintains approximately 3,500 feet of gravel road to the Gloucester line as per Zoning Board Resolution from October 7, 1989. In order to develop this parcel into a RRC, he will need Zoning Board approval for two variances as requested a positive recommendation to the Zoning Board. Mr. Wood explained the variances needed:

Section 30-208.b.1: A residential compound is a parcel of land containing lots for single-family dwellings having an average overall density of no greater than one dwelling unit per ten acres of land. **The proposed 4 lot RRC would require a minimum of 40 acres, the applicant has 37.41.**

Section 30-208.e.1 A parcel proposed for development as a residential compound shall have frontage on a town accepted street. Such frontage shall be a minimum of 50 feet. This provision is intended to accommodate legal nonconforming lots with substantial backland but only minimum frontage and shall not be construed as a means of increasing the density allowed under section (d)(1) above. **Olney Keach Road is not a town-accepted street.**

The Town Planner, Ray Goff, reviewed the Zoning Board October 7, 1989 resolution approving the construction of the existing single-family structure on this parcel with non-town accepted frontage. Planner Goff stated that he reviewed this resolution with Town Solicitor who was of the opinion that the last condition was an overreach and the applicant has the right to apply for this subdivision.

The conditions and restrictions were:

- Proper boundaries are to be established.
- The applicant agrees to accept the status of the road as an unaccepted town road.
- Only one single family dwelling is to be built on the property.
- Any utilities are to be placed on town property and not on the private property of others.
- There will be no further subdivision of the land.

The majority of Board had a positive view of the conceptual rural residential plan independent of the necessary variances, and recommended moving forward with an application to the Zoning Board Review for a decision on the variances. One member expressed concern with further land development on a non-accepted road.

Voted in favor to forward a letter of recommendation to the Zoning Board. Motion by Ken Raspallo. Seconded by Dov Pick. The vote was 7-1 with the dissenting vote reasoning cited as disapproval of further development on an unaccepted town road. There was no plan review vote taken as this was a pre-application plan review.

Discussion and consideration of amendments to Solar Ordinance Zoning Articles 30-211 and 30-71
(continued from April 2022)

Voted to continue Solar Ordinance amendments to Solar Ordinance Zoning Articles 30-211 and 30-71 to the June 6, 2022 meeting. Motion by Steve Foy. Seconded by Dov Pick. Motion carried unanimously.

ADMINISTRATIVE REPORTS: None

OTHER BUSINESS: NONE

ADJOURNMENT

Voted to adjourn. Motion by Krista Iacobucci. Seconded by Leo Felice. Motion carried unanimously. Meeting adjourned at 9:40 p.m.

Bruce Ferreira, Planning Board Chairman
Nicole Stockwell, Administrative Aide